

REMARKS

Claims 22-23 have been cancelled and new claims 24-29 have been added. Claims 24-29 are currently pending in the application.

The new claim describe aspects of the present invention described generally on page 11, line 30, to page 12, line 11, in which the “electronic computer” and “optical detection device” elements are disclosed.

More specifically, bases for terms in the new claims are as follows:

New Claim(s)	Term/Phrase	Basis
24	“organic polymer solid substrate having an upper surface”	Claim 12.
24	“main trench in the organic polymer solid substrate extending downward from said upper surface”	Claim 12.
24	“plurality of branched trenches connected to said main trench”	Page 12, lines 12-16. Fig. 2
24	“plurality of electrodes”	Page 13, line 19. Page 14, lines 9-10. Figs. 1 & 2.
24	“plurality of electrodes being connected to an electronic computer”	Page 11, line 31. Claim 18.
24	“programmed to sequentially activate electrodes to provide a voltage profile”	Page 11, lines 15-16, together with page 11, lines 30-33. Claim 18.
24	“an optical detection device ... interacting with the electronic computer so that said electronic computer adjusts said voltage profile in said main trench ... “	Page 12, lines 3-11.
25	“optical detection device is an ultraviolet or fluorescence spectrometer”	Page 12, line 5.
26	“organic polymer solid substrate is polymethylmethacrylate, polycarbonate, ... “	Claim 2.
27	“substantially uncharged surface”	Claim 1.
28	“capillary dimensions”	Claim 6.
29	“organic polymer solid substrate is polymethylmethacrylate”	Claim 13.

No new matter has been added by the amendments.

Prior Rejections under 35 U.S.C. 112

In the Office Action dated 15 September 2003, the Examiner rejected claims 22 and 23 under 35 U.S.C. 112 second paragraph for the use of the terms “main arm” and “plurality of side arms.”

In view of the amendments removing the terms, Applicants submit that this rejection has been obviated and respectfully request that it be withdrawn.

Prior Rejection under 35 U.S.C. 102

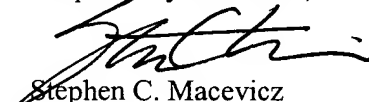
In the Office Action dated 15 September 2003, the Examiner rejected claims 22 and 23 under 35 U.S.C. 102(b) averring that the invention described in those claims was anticipated by the disclosure of Batchelder, U.S. patent 4,390,403. Batchelder describes an apparatus that provides multiple electrodes to generate non-uniform electric fields for dielectrophoretically moving one or more polarizable materials. In particular, such materials are moved together for carrying out chemical reactions. The Examiner argues that even though Batchelder's apparatus is designed to move polarizable materials by dielectrophoresis, the non-uniform electrical fields generated by the apparatus could also move charged particles; hence, Applicants' invention reads on the structure of the apparatus described in Batchelder.

Applicants disagree, particularly in view of the amendments. The presently claimed embodiment of the invention includes elements that are absent from Batchelder; namely, an electronic computer and an optical detection device. Moreover, these structural elements provide functions for implementing processes that are neither disclosed nor contemplated by Batchelder, e.g. using optical information feedback to a computer for controlling electrodes that affect the movement of charged particles.

Accordingly, Applicants respectfully request that the above rejection be withdrawn and that the application be allowed.

If any additional time extensions are required, such time extensions are hereby requested. If any additional fees not submitted with this response are required, please take such fees from deposit account 50-2266.

Respectfully submitted,


Stephen C. Macevich
Reg. No. 30,285
Attorney for Applicants

Telephone: (650) 210-1223

Enclosures:
Petition for Time Extension
Information Disclosure Statement
Request for Continued Examination